

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of CLS Utilities, LLC  
For Approval of the Operation, Monthly  
Rate and Service Area for the Sewage Pump  
Station in the Harvest Glenn Subdivision in  
Greenville County, South Carolina

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008 - 94 - S

(Please type or print)

Submitted by: Richard L. Whitt

SC Bar Number: 62895

Address: Austin & Rogers, P.A.

Telephone: 803-251-7442

508 Hampton Street, Suite 300

Fax: 803-252-3679

Columbia, South Carolina 29201

Other: 803-256-400

Email: rlwhitt@alrlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☒ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)

NATURE OF ACTION (Check all that apply)

- |  |  |  |  |
|--|--|--|--|
| <input type="checkbox"/> Electric                    | <input type="checkbox"/> Affidavit                 | <input type="checkbox"/> Letter                            | <input type="checkbox"/> Request                   |
| <input type="checkbox"/> Electric/Gas                | <input type="checkbox"/> Agreement                 | <input type="checkbox"/> Memorandum                        | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Electric/Telecommunications | <input type="checkbox"/> Answer                    | <input checked="" type="checkbox"/> Motion                 | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Electric/Water              | <input type="checkbox"/> Appellate Review          | <input type="checkbox"/> Objection                         | <input type="checkbox"/> Resale Agreement          |
| <input type="checkbox"/> Electric/Water/Telecom.     | <input type="checkbox"/> Application               | <input type="checkbox"/> Petition                          | <input type="checkbox"/> Resale Amendment          |
| <input type="checkbox"/> Electric/Water/Sewer        | <input type="checkbox"/> Brief                     | <input type="checkbox"/> Petition for Reconsideration      | <input type="checkbox"/> Reservation Letter        |
| <input type="checkbox"/> Gas                         | <input type="checkbox"/> Certificate               | <input type="checkbox"/> Petition for Rulemaking           | <input type="checkbox"/> Response                  |
| <input type="checkbox"/> Railroad                    | <input type="checkbox"/> Comments                  | <input type="checkbox"/> Petition for Rule to Show Cause   | <input type="checkbox"/> Response to Discovery     |
| <input checked="" type="checkbox"/> Sewer            | <input type="checkbox"/> Complaint                 | <input type="checkbox"/> Petition to Intervene             | <input type="checkbox"/> Return to Petition        |
| <input type="checkbox"/> Telecommunications          | <input type="checkbox"/> Consent Order             | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation               |
| <input type="checkbox"/> Transportation              | <input type="checkbox"/> Discovery                 | <input type="checkbox"/> Prefiled Testimony                | <input type="checkbox"/> Subpoena                  |
| <input type="checkbox"/> Water                       | <input type="checkbox"/> Exhibit                   | <input type="checkbox"/> Promotion                         | <input type="checkbox"/> Tariff                    |
| <input type="checkbox"/> Water/Sewer                 | <input type="checkbox"/> Expedited Consideration   | <input type="checkbox"/> Proposed Order                    | <input type="checkbox"/> Other:                    |
| <input type="checkbox"/> Administrative Matter       | <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest                           |  |
| <input type="checkbox"/> Other:                      | <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit             |  |
|  | <input type="checkbox"/> Late-Filed Exhibit        | <input type="checkbox"/> Report                            |  |

**Austin & Rogers, P.A.**  
ATTORNEYS AND COUNSELORS AT LAW

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WILLIAM FREDERICK AUSTIN  
TIMOTHY F. ROGERS  
RAYMON E. LARK, JR.  
RICHARD L. WHITT  
JEFFERSON D. GRIFFITH, III\*  
EDWARD L. EUBANKS  
W. MICHAEL DUNCAN

**COLUMBIA OFFICE:**  
CONGAREE BUILDING  
508 HAMPTON STREET, SUITE 300  
POST OFFICE BOX 11716  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 256-4000  
FACSIMILE: (803) 252-3679  
WWW.ALRLAW.COM

**WINNSBORO OFFICE:**  
120 NORTH CONGRESS STREET  
POST OFFICE BOX 1061  
WINNSBORO, SOUTH CAROLINA 29180  
  
TELEPHONE: (803) 712-9900  
FACSIMILE: (803) 712-9901

\* ALSO MEMBER NORTH CAROLINA BAR

**June 9, 2008**

**DELIVERED VIA ELECTRONIC FILING**

The Honorable Charles L.A. Terreni  
Chief Clerk/ Administrator  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

Re: • Docket No. 2008-94-S Application of CLS Utilities, LLC, for Approval of the Agreement, Bond, Operation, Monthly Rate and Service Area for the Sewage Pump Station in the Harvest Glenn Subdivision in Greenville County, South Carolina.

• **Motion to Bifurcate Docket**

Dear Mr. Terreni,

The undersigned is counsel for CLS Utilities, LLC, (hereinafter, "CLS") in Docket No. 2008-94-S. **Please treat this correspondence as CLS' Motion to Bifurcate this Docket.** The grounds for this Motion are as follows:

Specifically, Counsel requests that the Public Service Commission of South Carolina, (hereinafter, this "Commission"), bifurcate the issues of this Docket into **two parts**. Upon approval by this Commission, **the first part** will include the issues of the Bond, Operation, Monthly Rate and Service Area for the Sewage Pump Station in the Harvest Glenn Subdivision. **The second part** will include the single issue of Approval of the Pump Station Agreement. The issues of a Bond, Operation, Monthly Rate and Service Area for the Sewage Pump Station in the Harvest Glenn Subdivision are ripe for adjudication and in fact, Counsel for CLS has reached agreement with Counsel for the South Carolina Office of Regulatory Staff, (hereinafter, "ORS") and counsel expects to file a Settlement Agreement on those issues in the near future.

The single issue of approval of the Pump Station Agreement is not ripe for adjudication. Despite the best efforts on the part of all Counsel, the Agreement has been drafted, but not executed by all parties. As soon as the Agreement has been fully executed and provided to the ORS, the same will be filed with this Commission and a separate approval will be requested.

Bifurcated approval of the Bond, Operation, Monthly Rate and Service Area for the Sewage Pump Station in the Harvest Glenn Subdivision (without the approval of the Pump Station Agreement) is vital, because construction cannot begin without the approval of those issues by this Commission.

All parties of record have been served a copy of this correspondence. Please contact me if you have any questions or concerns.

With kind, personal regards, I am,

Very truly yours,

/S/

Richard L. Whitt

RLW/jls